FILED

JAN 3 1 2008

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA, Plaintiff, v. MARIO PENA-MARQUEZ, Defendant.	Criminal Case No. 08CR271-BTM I N F O R M A T I O N Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony); Title 8, U.S.C., Sec. 1325 - Illegal Entry (Felony)

The United States Attorney charges:

Count 1

On or about January 2, 2008, within the Southern District of California, defendant MARIO PENA-MARQUEZ, being an alien, unlawfully entered or attempted to enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by immigration officers, and attempted to enter or obtained entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact; and previously committed the misdemeanor offense of illegal entry, as evidenced by his conviction on July 5, 2005 for Illegal Entry, in violation of Title 8, United States Code, Section 1325, in the United States District Court for the Southern District of California; all in violation of Title 8, United States Code, Section 1325, a felony.

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WDK:psd:Imperial
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Count 2

On or about January 3, 2008, within the Southern District of California, defendant MARIO PENA-MARQUEZ, being an alien, unlawfully entered or attempted to enter the United States at a time and place other than as designated by immigration officers, and eluded examination and inspection by immigration officers, and attempted to enter or obtained entry to the United States by a willfully false or misleading representation or the willful concealment of a material fact; and previously committed the misdemeanor offense of illegal entry, as evidenced by his conviction on July 5, 2005 for Illegal Entry, in violation of Title 8, United States Code, Section 1325, in the United States District Court for the Southern District of California; all in violation of Title 8, United States Code, Section 1325, a felony.

DATED: January 31, 2008.

KAREN P. HEWITT
United States Attorney

DOUGLAS KEEHN
Assistant U.S. Attorney